

**REMARKS**

The Office Action mailed June 5, 2007 has been carefully reviewed and considered. Claims 12-20 and 34-44 are previously pending. Claim 18 has been allowed; Claims 12, 13, 16, 17, 19, 34, 35, 39 and 40 were rejected; and Claims 14, 15 20 and 36-38 were objected to. The Applicants have amended Claims 12, 34 and 37 and have cancelled Claims 36, 39 and 40. Applicants reserve the right to pursue the cancelled claims in continuations, divisionals or for appeal purposes. Reconsideration is respectfully requested.

**The 35 U.S.C. § 103 Rejection****Bailey in view of Fritsch**

Claims 12-13 and 16-17 and 19 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Bailey (US 5,800,179) in view of Fritsch (US 5,567,047). The Applicants respectfully traverse.

In particular, it is admitted in the Office Action that Bailey does not teach that the capture mechanism is a grasping member that closes around the peripheral device via an actuator that operates to close the grasping member in response to insertion of the peripheral device. The Office Action states that Fritsch discloses this. The Applicants disagree.

Fritsch discloses that when inserting the tool shank 10 into the shank mounting socket 12 of the motor means 13, the peripheral rim 44 is provided with a frusto-conical surface 45 at the end of the tool shank 10. The frusto conical surface 45 causes the expansion clamp 24 to open and spread apart when the tool shank 10 is urged into its socket 12, whereby the tool shank 10 can then be pushed into its socket 12 until the expansion clamp 24 snaps into the mounting

groove 30 of the tool shank 10 without the need to actuate the buttons 32, 34. (Fritsch, Col. 5, Lines 11-26). In other words, it is the tool itself that has the frusto conical surface about its peripheral rim and is inserted into the motor, whereby the conical surface of the tool separates the expansion clamp while the tool is inserted into the motor means to open the clamp and secure the tool to the motor.

In contrast to Fritsch, the capture mechanism of the claimed embodiment includes the actuator as well as the grasping member, whereby the actuator is urged against the grasping member to keep the grasping member in an open position. In addition, upon the peripheral device being inserted into the capture mechanism, the peripheral device pushes the actuator away from the grasping member wherein the grasping member closes around the peripheral device to engage the peripheral device in a closed position.

Claim 12 recites a capture mechanism configured to engage a peripheral device, the capture mechanism having a grasping member and an actuator urged against the grasping member to maintain the grasping member in an open position to receive the peripheral device, the grasping member configured to close to a closed position around the peripheral device to engage the peripheral device therein in response to the peripheral device being inserted into the grasping member and pushing the actuator away from the grasping member.

One skilled in the art would have no motivation to combine Bailey and Fritsch to reach the subject matter claimed in Claim 12, because Fritsch does not teach that the expansion clip is urged to an open position. Instead, the opposite occurs in Fritsch where the expansion clip 24 is urged to a closed position, whereby the frusto conical surface of the tool itself causes the clip 24 to expand to accept the tool in the motor. One skilled in the art reading the particulars of the

Fritsch mechanism would not reach the claimed embodiment in Claim 12 by combining Fritsch with Bailey. Further, the combination of Bailey and Fritsch does not disclose each and every element/limitation of Claim 12 and therefore a prima facie case of obviousness has not been established. In re Vaeck, 947 F.2d 488 (Fed. Cir. 1991) (The prior art references when combined must teach or suggest all the claim limitations). For at least these reasons, Claim 12 is patentable over the combination of Bailey with Fritsch.

Claims 13, 16, 17 and 19 are dependent on Claim 12. As stated above, Claim 12 is allowable over the cited references. Accordingly, Claims 13, 16, 17 and 19 are allowable for being dependent on an allowable base claim.

**Bailey in view of Jahrmarkt et al.**

Claims 34-35 and 39-40 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Bailey (US 5,800,179) in view of Jahrmarkt et al. (US 5,113,872). The Applicants respectfully traverse. However, to expedite prosecution of the present application, Claim 34 has been amended to incorporate the limitation in objected-to Claim 36. Accordingly, Claim 34 is now in a condition for allowance. Claims 36, 39 and 40 have been cancelled. Allowance is respectfully requested.

**Conclusion**

It is believed that this reply places the above-identified patent application into condition for allowance. Early favorable consideration of this reply is earnestly solicited.

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Please charge any additional required fee or credit any overpayment not otherwise paid or credited to our deposit account No. 50-1698.

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Respectfully submitted,



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